

15866 U.S. PTO
012704UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|---|
| Attorney Docket No. | 2103175-991111 |
| First Inventor | Liam Scanlan and Cory Bear |
| Title | EXTENSIBLE METHOD FOR OBTAINING A RECORD OF DATA BACKUP ACTIVITY (AND ERRORS) AND CONVERTING SAME INTO A CANONICAL FORMAT |
| Express Mail Label No. | EV 302277231 US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
Applicant claims small entity status.
See 37 CFR 1.27.
2. ☒ Specification [Total Pages 28]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. ☒ Oath or Declaration [Total Sheets]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Application Data Sheet. See 37 CFR 1.76

6. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. ☐ Computer Reader Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ Paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1499 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
16. ☒ Other: Check # 552760 for \$425.00;
Express Mail Cert. EV302277231US;

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/665,270

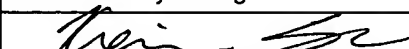
Prior application information:

Examiner Diane D. MizrahiArt Unit: 2175

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 26379 OR ☐ Correspondence address below

| | | | | | |
|-------------------|---|-----------|-----------------------------------|----------|--------------|
| Name | Kieun "Jenny" Sung | | | | |
| Address | Gray Cary Ware & Freidenrich LLP 2000 University Avenue | | | | |
| City | East Palo Alto | State | California | Zip Code | 94303 |
| Country | United States | Telephone | 650-833-2121 | Fax | 650-833-2001 |
| Name (Print/Type) | Kieun "Jenny" Sung | | Registration No. (Attorney/Agent) | 48,639 | |
| Signature |  | | Date January 23, 2004 | | |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

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10765539

012704

FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 40.00**Complete if Known**

| | |
|-----------------------------|--------------------|
| Application Number | 09/665,270 |
| Filing Date | September 19, 2000 |
| First Named Inventor | Liam Scanlan |
| Examiner Name | Unknown |
| Group Art Unit | 3661 |
| Attorney Docket No. | 2103175-991110 |

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 07-1896
Deposit Account Name: Gray Cary Ware & Freidenrich

- ☒ Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES**

Total Claims: -20** = X =
Independent Claims: -3** = X =
Multiple Dependent Claims: X =

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|--|----------|
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 | |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid | |
| 109 | 80 | 209 | 40 | ** Reissue independent claims over original patent | |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 11 | 0240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unavoidable | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stms | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40.00**SUBMITTED BY**

Name (Print/Type)

Timothy W. Lohse

Signature

Timothy W. Lohse

Registration No.
(Attorney/Agent)

35,255

Complete (if applicable)

Telephone

650-320-7426

Date

August 28, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box



PTO/SB21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

| | | | |
|--|----------------------|------------------------|----------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/665,270 | |
| | Filing Date | September 19, 2000 | |
| | First Named Inventor | Liam Scanlan | |
| | Group Art Unit | 2171 | |
| | Examiner Name | Unknown | |
| Total Number of Pages in This Submission | 7 | Attorney Docket Number | 2103175-991110 |

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment with Appendix A attached <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Recordation cover sheet (1 pg.); Assignment (3 pgs.); Fee Transmittal (1 pg.); Check # 487590 for \$40.00; Return postcard. |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | Timothy W. Lohse (Reg. No. 35,255) Gray Cary Ware Freidenrich |
| Signature | |
| Date | August 28, 2001 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX Assignment, Assistant Commissioner for Patents, Washington, D.C. 20231 on this date

| | | | |
|-----------------------|---------------|------|-----------------|
| Typed or printed name | Cathy Pittman | Date | August 28, 2001 |
| Signature | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Liam Scanlan and Cory Bear

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: January 24, 2003

Examiner: To Be Assigned

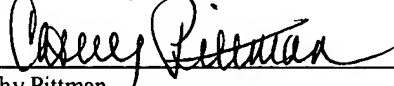
Title: EXTENSIBLE METHOD FOR OBTAINING A RECORD OF DATA BACKUP
ACTIVITY (AND ERRORS) AND CONVERTING SAME INTO A
CANONICAL FORMAT



EXPRESS MAIL NO.: EV 302277231 US

Date of Deposit January 26, 2004

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP PATENT APPLICATION, Commissioner of Patents and Trademarks; P.O. Box 1450, Alexandria, VA 22313-1450.


Cathy Pittman

TRANSMITTAL OF CONTINUATION APPLICATION

MAIL STOP PATENT APPLICATION

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir/Madam:

Applicant hereby respectfully submits the enclosed

☒ Continuation application under **37 CFR §1.53(b)**, of prior application Serial No. 09/665,270 ,
filed on September 19, 2000.

☐ Divisional

entitled: PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING AND
READING SKILL TRAINING SYSTEM AND METHOD

1. Copy of Prior Application as Filed Which is Attached

☒ The undersigned hereby verifies that the attached papers are a true copy of the above-
identified prior application, including the oath or declaration originally filed (37 CFR 1.53(b)).

The copy of the papers of prior application as filed which are attached hereto are as follows:

☒ 24 pages of specification

☒ 3 pages of claims

☒ 1 page of abstract

☒ 2 sheet(s) of drawings
☒ 7 pages of Assignment ;

2. Amendments

☒ A Preliminary Amendment accompanies this application.

3. Inventorship Statement

With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. 120, the inventor(s) in this application are:

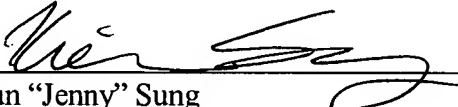
- ☒ the same;
☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted;
☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is being filed herewith.

4. Assignment

☒ The prior application is assigned of record to Bocada, Inc.

Respectfully submitted,

Dated: January 23, 2004


Kieun "Jenny" Sung
Reg. No. 48,639
Attorney for Assignee

GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303
Telephone: (650) 833-2121

EV 302277231 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NUMBER: EV 302277231 US

DATE OF DEPOSIT: January 26, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
Mail Stop Patent Application, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450


Cathy Pittman

* * *

CERTIFICATE OF MAILING BY EXPRESS MAIL

COMMISSIONER FOR PATENTS
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is

:

INVENTOR(s): Liam Scanlan and Cory Bear

FOR: EXTENSIBLE METHOD FOR OBTAINING AN HISTORICAL
RECORD OF DATA BACKUP ACTIVITY (AND ERRORS) AND
CONVERTING SAME INTO A CANONICAL FORMAT

Enclosed are:

| <u>No. Pgs.</u> | <u>Title of Document</u> |
|-----------------|--|
| [1] | Utility Patent Application Transmittal; |
| [37] | Copy of prior application: Specification-28; Drawings-2; Assignment-7; |
| [2] | Transmittal of Continuation Application; |
| [2] | Preliminary Amendment; |
| [1] | Fee Transmittal FY 2004 (1 pg.) |
| [1] | Check No. <u>552700</u> for \$425.00; |
| [1] | Certificate of Express Mailing No. EV302277231 US; and |
| [1] | Return Postcard |